

**NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)
COMPLIANCE RECORD FOR CATEGORICAL EXCLUSIONS (CX)
U.S. Department of Interior
Bureau of Land Management**

PART I. – PROPOSED ACTION

BLM Office: Tucson Field Office
2014-0017-CX

NEPA No.: DOI-BLM-AZ-G020-

Case File No.:

Proposed Action Title/Type: Las Cienegas National Conservation Area (LCNCA) Secondary Road Maintenance

Applicant:

Location of Proposed Action: Las Cienegas National Conservation Area Secondary Roads

Description of Proposed Action: This would be a project to maintain the secondary roads on Las Cienegas National Conservation Area (LCNCA). The work would take place on the 902 and 903 roads at Las Cienegas.

The work on the 902 road would mostly be maintaining existing rolling dips. Rolling dips are low impact ditch structures that channel water off the road. Some of the maintenance on the 902 road would include expanding the lead outs from the rolling dips. Lead outs extend from the rolling dips and dissipate water across the landscape through slowing down the flow of water off the road.

The work on the 903 road would be construction of 12-15 new rolling dips approximately every 300 to 500 feet depending on the terrain. Rolling dips would consist of constructing a lead out on the downslope side of the road. The lead out would be ten feet wide at the top of the lead out and 100 feet long at most (1000 square feet at most). The dirt would be piled up in a berm in the road to divert water off the road into the lead outs. There might also be a slight depression in the road to channel water off the road and into the lead out.

The work would take place in late May and June. The Force Account would be conducting the work on this project. The construction would require a bulldozer, backhoe, water buffalo, dump truck, water truck, and a service truck. The existing road will not need to be widened to bring in any of the above equipment to the sites of the proposed road maintenance.

A Class III cultural resource survey was completed for the project on May 6, 2014 and no sites were located. Standard cultural stipulations will be included as part of the decision. Hydrological input on project design was also provided during the May 6, 2014 field visit, based on principles of water harvesting from roads. A threatened and endangered species clearance was completed on June 3, 2014. The determination was that the project will have no effect on listed species and no adverse modification of critical habitat.

Part II. – PLAN CONFORMANCE REVIEW

This proposed action is subject to the following land use plan(s): Las Cienegas RMP (2003)

Decisions and page nos.: 6. Maintenance Program (p. 47). Table 8 summarizes maintenance prescriptions for designated routes in the transportation system. The 902 and 903 roads are located in recreation zone 3 (Back Country) with a level 2 minimal maintenance designation. Level 2 - minimal maintenance means roads normally open seasonally or year-round and passable for high clearance of 4-wheel drive use. Drainage and grade inspection every 3 years and maintained to correct problems. The proposed action is to correct drainage issues on the 902 and 903 roads and therefore the proposed action is in conformance with the Las Cienegas RMP (2003).

Date plan approved/amended: July 2003

This proposed action has been reviewed for conformance with these plans (*43 CFR 1610.5-3, BLM Manual 1601.04.C.2*).

PART III. – NEPA COMPLIANCE DETERMINATION REVIEW

A. The proposed action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 11.9 G. Transportation 2. Installation of routine signs, markers, culverts, ditches, waterbars, gates, or cattleguards on/or adjacent to roads and trails identified in any land use or transportation plan, or eligible for incorporation in such plan;

And

B. Extraordinary Circumstances Review: In accordance with **43 CFR 46.215**, any action that is normally categorically excluded must be subjected to sufficient environmental review to determine if it meets any of the 12 Extraordinary Circumstances described. If any circumstance applies to the action or project, and existing NEPA documentation does not adequately address it, then further NEPA analysis is required.

IMPORTANT: Appropriate staff should review the circumstances listed in Part IV, comment and initial for concurrence. Rationale supporting the concurrence should be included in the appropriate block.

Part IV. – EXTRAORDINARY CIRCUMSTANCES DOCUMENTATION

PREPARERS:

DATE:

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|---|--------------|
| JJ Swift, Facilities/Operations Lead | June 2, 2014 |
| Heather Swanson, Natural Resource Specialist | June 3, 2014 |
| Amy Sobiech, Archaeologist | May 6, 2014 |
| Amy Markstein, Planning & Environmental Coordinator | June 4, 2014 |
| NEPA Team | May 5, 2014 |
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/s/ Amy Markstein
PLANNING & ENVIRONMENTAL SPECIALIST

06/20/2014
DATE

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215(a)-(l)) apply. The project would:

(a) Have significant impacts on public health or safety.

Yes**No****x**

Rationale: The proposed action will improve road drainage and therefore have a positive impact on public health and safety by making the road safer to drive.

Preparer's Initials AHM

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| <p>(b) Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.</p> | | |
| Yes | No x | <p>Rationale: A class III cultural clearance has been conducted on all areas that will have ground disturbance and no sites were found. Cultural stipulations will be followed during implementation of this project.</p> <p>The Proposed Action will improve road drainage thereby preventing resource damage to natural resources.</p> <p style="text-align: right;">Preparer's Initials <u>AHM</u></p> |
| <p>(c) Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102 (2) (E)].</p> | | |
| Yes | No x | <p>Rationale: The environmental effects of the Proposed Action are not controversial. The Tucson Field Office routinely conducts such road maintenance work.</p> <p style="text-align: right;">Preparer's Initials <u>AHM</u></p> |
| <p>(d) Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.</p> | | |
| Yes | No x | <p>Rationale: The environmental effects of the Proposed Actions are predictable and well-known.</p> <p style="text-align: right;">Preparer's Initials <u>AHM</u></p> |
| <p>(e) Establish a precedent for future action or represent a decision in principal about future actions with potentially significant environmental effects.</p> | | |
| Yes | No x | <p>Rationale: The road maintenance would not set a precedent for future actions, or represent a decision in principal for future actions.</p> <p style="text-align: right;">Preparer's Initials <u>AHM</u></p> |

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| (f) Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects. | | |
| Yes | No x | Rationale: There are no significant cumulative effects associated with this road maintenance work. <div style="text-align: right;">Preparer's Initials <u>AHM</u></div> |
| (g) Have significant impacts on properties listed, or eligible for listing, on the National Register of Historic Places as determined by the bureau. | | |
| Yes | No x | Rationale: A class III cultural clearance was conducted at the location of the Proposed Action and there are no properties listed, or eligible for listing, on the National Register of Historic Places present. Therefore the road maintenance work would not significantly impact an listed or eligible NRHP. <div style="text-align: right;">Preparer's Initials <u>AHM</u></div> |
| (h) Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species. | | |
| Yes | No x | Rationale: The proposed road maintenance will not harm any listed or proposed to be listed species within Las Cienegas NCA. See T & E determination form. <div style="text-align: right;">Preparer's Initials <u>HLS</u></div> |
| (i) Violate a Federal law, or a State, local or tribal law or requirement imposed for the protection of the environment. | | |
| Yes | No x | Rationale: The proposed road maintenance work will not violate any Federal, State, local or tribal laws or regulations. <div style="text-align: right;">Preparer's Initials <u>AHM</u></div> |
| (j) Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898). | | |
| Yes | No x | Rationale: The proposed road maintenance work will have no adverse effect on low income or minority populations. <div style="text-align: right;">Preparer's Initials <u>AHM</u></div> |

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| (k) Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007). | | |
| Yes | No x | Rationale: There are no known Indian sacred sites in or near the sites of the proposed road maintenance work. <div style="text-align: right;">Preparer's Initials <u>AHM</u></div> |
| (l) Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112). | | |
| Yes | No x | Rationale: The proposed road maintenance work would not promote the growth of non-native invasive species. Standard non-native and invasive species best management practices apply. <div style="text-align: right;">Preparer's Initials <u>AHM</u></div> |
| PART V. –COMPLIANCE REVIEW CONCLUSION I have reviewed this plan conformance and NEPA compliance record, and have determined that the proposed project is in conformance with the approved land use plan and that no further environmental analysis is required. MITIGATION MEASURES/OTHER REMARKS: Standard cultural stipulations apply (see attached). Construction of rolling dips will not disturb or displace any night-blooming plants such as saguaro, century plant or other agaves. <div style="display: flex; justify-content: space-between;"> /s/ Karen Simms, Acting Field Office Manager 06/23/2014 </div> <div style="margin-top: 20px;"> APPROVING OFFICIAL: _____ DATE: _____ TITLE: _____ </div> | | |

Note: The signed conclusion on this compliance record is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. A separate decision to implement the action should be prepared in accordance with program specific guidance.